

MEMO ENDORSED



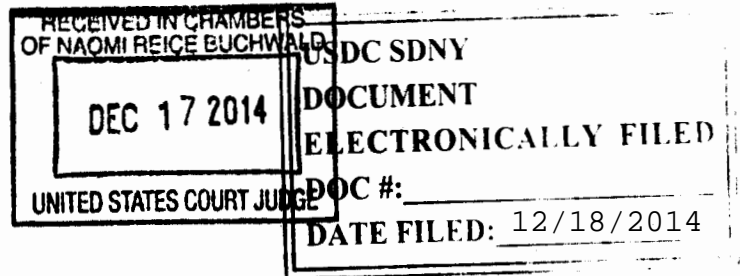
MEMO ENDORSED

December 16, 2014

Jeffrey J. Cunningham  
212.915.5192 (direct)  
Jeffrey.Cunningham@wilsonelser.com

By Hand Delivery & ECF

Hon. Naomi Reice Buchwald  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007-1312



Re: *U.S. Bank National Association v. Commonwealth Land Title Insurance Company, et. al.*  
Case No.: 13 CV 7626  
**Briefing Schedule for Lowenthal's Pre-Answer Motion to Dismiss**  
File No.: 10369.00054

Dear Judge Buchwald:

We represent Third-Party Defendants Lowenthal & Kofman, P.C., Martin Kofman, and Norman Tepfer (collectively "Lowenthal"), in this matter. Following our Pre-Motion conference call and at the direction of the Court, we have agreed to the following briefing schedule with counsel for the first-party plaintiff and defendant for Lowenthal's pre-answer motion to dismiss.

Lowenthal's pre-answer motion to dismiss will be filed by December 22, 2014<sup>So ordered</sup>. Answering papers are due by January 15, 2015 and reply papers are due January 29, 2015.

Thank you for your attention to this matter.

*Naomi Reice Buchwald*  
12/17/14

Respectfully Submitted,

Wilson Elser Moskowitz Edelman & Dicker LLP

Jeffrey J. Cunningham (JC-0726)

cc:  
ECF service list

150 East 42nd Street • New York, NY 10017 • p 212.490.3000 • f 212.490.3038

Albany • Baltimore • Boston • Chicago • Cincinnati • Dallas • Denver • Garden City • Houston • Las Vegas • London • Los Angeles • Louisville • Madison  
Miami • Milwaukee • New Jersey • New York • Orlando • Philadelphia • San Diego • San Francisco • Washington, DC • West Palm Beach • White Plains  
Affiliates: Berlin • Cologne • Frankfurt • Munich • Paris

wilsonelser.com

6480641v.1

MEMO ENDORSED